

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

LATWON TYRONE MOSBY,

Plaintiff

VS.

BUTTS COUNTY POLICE DEP'T,

Defendant

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NO. 5:11-CV-344 (MTT)

ORDER

Plaintiff **LATWON TYRONE MOSBY**, an inmate at the Butts County Jail, has filed a *pro se* civil rights complaint under 42 U.S.C. § 1983 (Doc. 1). Plaintiff's claims arise out of an alleged use of excessive force by Butts County Police Officers and subsequent denial of medical care. This Court has issued three Orders in which it has attempted to get Plaintiff to do the following: (1) pay an initial partial filing fee of \$7.10; (2) name specific defendants and state how they violated Plaintiff's rights; and (3) answer certain questions regarding his medical care (Docs. 8, 9, 11). The Court expressly informed Plaintiff that if he failed to comply with the Court's directives, his case would be dismissed.

Plaintiff's sole response to this Court's three Orders was to name Officer Michael Broce as a Defendant in connection with the excessive use of force (Doc. 10). Plaintiff has yet to pay the \$7.10 partial filing fee or explain his failure to do so. Plaintiff has, however, filed a separate lawsuit in this Court alleging denial of medical care at the Butts County Jail. ***Mosby v. Butts County Jail***, 5:11-cv-458 (MTT) (filed Nov. 17, 2011).

Under 28 U.S.C. § 1915(b), Plaintiff's payment of an initial partial fee is necessary for him to maintain this lawsuit. This Court has given Plaintiff three opportunities to pay the \$7.10 initial partial filing fee and instructed him to state any difficulties he might have encountered. Plaintiff made no response whatsoever to this Court's last Order. Because of Plaintiff's failure to comply with the Court's instructions, his lawsuit is hereby **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED, this 29th day of November, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT